

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JACKSON MUNICIPAL AIRPORT  
AUTHORITY, ET AL.**

**PLAINTIFFS**

**V.**

**CAUSE NO. 3:16-CV-246-CWR-FKB**

**GOVERNOR TATE REEVES, ET AL.**

**DEFENDANTS**

**NOTICE OF APPEAL**

Notice is hereby given that eight non-party current and former members of the Mississippi Legislature, Josh Harkins, Dean Kirby, Phillip Moran, Chris Caughman, Nickey Browning, John A. Polk, Mark Baker, and Alex Monsour (collectively “Legislators”), acting pursuant to Rule 3 of the Federal Rules of Appellate Procedure, hereby appeal to the United States Court of Appeals for the Fifth Circuit from this Court’s order of March 15, 2021 [Dkt. #441], adhering to its order of August 15, 2020, concerning the sufficiency of the most recent amended complaint [Dkt. #409], and granting the motion of plaintiffs-intervenors members of the Board of Commissioners of the Jackson Municipal Airport Authority, acting solely in their personal capacities, to reinstate this Court’s prior order of June 25, 2018 [Dkt. #328], overruling the Legislators’ objection to order of the Magistrate Judge granting in part and denying in part motion to enforce subpoenas entered on December 19, 2017 [Dkt. #251], thereby denying the Legislators’ assertion of a legislative privilege for materials plaintiffs-intervenors have requested via subpoena. Jurisdiction of this appeal is proper pursuant to *Carr v. Monroe Mfg. Co.*, 431 F.2d 384, 387 (5th Cir. 1970), and consistent subsequent decisions, including *Stallworth v. Bryant*, 936 F.3d 224 (5th Cir. 2019).

Dated this the 13th day of April, 2021.

Respectfully submitted,

JOSH HARKINS, DEAN KIRBY, PHILLIP MORAN,  
CHRIS CAUGHMAN, NICKEY BROWNING, JOHN A.  
POLK, MARK BAKER, and ALEX MONSOUR

By: *s/Michael B. Wallace*

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**CERTIFICATE OF SERVICE**

I, Michael B. Wallace, do hereby certify that I have this day filed the foregoing pleading or other paper and that the ECF system sent notice to all counsel of record.

THIS, the 13th day of April, 2021.

*s/Michael B. Wallace*

MICHAEL B. WALLACE